

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

ERICSSON INC., et al.,	)	Case No. 6:10-CV-473-LED
	)	
Plaintiffs,	)	JURY TRIAL DEMANDED
	)	
v.	)	
	)	
D-LINK SYSTEMS, INC., et al.,	)	
	)	
Defendants.	)	
	)	
	)	

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**STIPULATION AND JOINT MOTION  
TO DISMISS WITH PREJUDICE AND GRANT PARTIAL JUDGMENT**

Plaintiffs Ericsson Inc. and Telefonaktiebolaget LM Ericsson (collectively, “Plaintiffs”) and Defendants Acer, Inc. and Acer America Corporation (collectively, “Acer”), Gateway, Inc. (“Gateway”), Dell Inc. (“Dell”), Toshiba Corporation, Toshiba America Information Systems, Inc., (collectively, “Toshiba”), (collectively, “352 Defendants”) by and through their counsel of record, hereby stipulate and request that the Court order the following dismissal with prejudice and partial judgment:

1. Plaintiffs’ claims against ’352 Defendants for infringement of U.S. Patent No. 6,173,352 (the ’352 Patent”) are dismissed WITH PREJUDICE.
2. Plaintiffs covenant not to sue the ’352 Defendants, or any of their parents, subsidiaries, divisions, affiliates, distributors, suppliers, partners, customers, end users, or successors, based on any claim that any products that the ’352 Defendants have been manufacturing, using, selling, or offering for sale in the marketplace, on or before the date of this motion, infringe the ’352 patent, whether directly, indirectly, contributorily, or otherwise.

3. The '352 Defendants' counterclaims for a declaratory judgment of non-infringement are dismissed WITH PREJUDICE. The '352 Defendants' counterclaims for declaratory judgment of invalidity are dismissed WITHOUT PREJUDICE.

4. This Stipulation and Joint Motion has no effect on Plaintiffs' and the '352 Defendants' respective claims and counterclaims relating to any other patent-in-suit.

Dated: November 2, 2012

Respectfully submitted,

/s/ Ted Stevenson

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**CERTIFICATE OF SERVICE**

The undersigned certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECD system per Local Rule CV-5(a)(3) on November 2, 2012.

*/s/ Justin Nemunaitis*  
Justin Nemunaitis

**CERTIFICATE OF CONFERENCE**

I hereby certify that counsel for Plaintiffs and counsel for Defendants have reached agreement on the present motion.

*/s/ Justin Nemunaitis*  
Justin Nemunaitis